

REMARKS

This Response is submitted in reply to the Office Action dated November 21, 2005, and in accordance with the telephone interview courteously granted to the Applicant's representatives on February 14, 2006. Claims 1, 18, 35 and 52 have been amended for purposes of clarity. No new matter has been added by way of these amendments.

A Petition for a One-Month Extension of Time to respond to the Office Action is submitted herewith. A Supplemental Information Disclosure Statement is submitted herewith. A Terminal Disclaimer is submitted herewith. Checks in the amount of \$120.00, \$180.00 and \$130.00 are submitted herewith to cover the cost of the One-Month Extension of Time, the Supplemental Information Disclosure Statement, and the Terminal Disclaimer, respectively. Please charge deposit account No. 02-1818 for any insufficiency of payment or to credit any overpayment. Additionally, Applicant filed a Supplemental Information Disclosure Statement on November 20, 2005. Consideration thereof is respectfully requested.

The Office Action rejected Claims 1 to 68 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 to 34 of U.S. Patent No. 6,712,694. A Terminal Disclaimer is submitted herewith to overcome this rejection.

The Office Action rejected Claims 1 to 68 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,086,066 to Takeuchi ("Takeuchi").

Takeuchi discloses a gaming machine having a plurality of mechanical reels. Each of the reels includes a plurality of symbols. Each of the reels rotates along an axis and stops in sequence to display one of the plurality of symbols. The gaming machine includes a cover member positioned above one of the reels (the center reel). The cover member displays a predetermined symbol. The cover member is movable between a shelter position located above one of the reels and a preset angle position located in front of one of the reels. That is, the cover member is operable to move from a position above the top of the center reel downward to a position in front of the center reel, to cover the symbol displayed on the center reel.

In a play of the game of Takeuchi, the gaming machine causes the plurality of reels to rotate and stop to each display a symbol, creating a symbol combination. Upon a predetermined symbol combination, the gaming machine moves the cover member from the shelter position to the preset angle position. The preset angle position covers the symbol displayed by the center reel. The gaming machine vibrates the cover member and then stops vibrating the cover member. The gaming machine then provides the player with an award. If the predetermined symbol combination is not displayed on the reels, the cover member remains in the shelter position and does not move to the preset angle position.

Applicant respectfully disagrees and traverses these rejections. Takeuchi does not disclose a mechanical indicator supported by the cabinet and operable to oscillate relative to the movable structure and independently from the movable structure to indicate one of the symbols from the symbol group indicated by the movable structure. The cover member of Takeuchi rotates from a position above the top of the center reel downward to a position in front of the center reel, to cover the symbol displayed on the center reel. Takeuchi does not include a mechanical indicator that is operable to oscillate relative to the movable structure and independently from the moveable structure to indicate one of the symbols from the symbol group indicated by the movable structure. The cover member of Takeuchi moves from a first position to cover or block a certain, predefined symbol from view of the player, not to indicate a symbol.

Nonetheless, Applicants have amended the claims for clarification purposes only and not to distinguish over the prior art.

Amended Claim 1 is directed towards a gaming device having a game operable upon a wager by a player. The gaming device includes a cabinet and a mechanical movable structure supported by the cabinet and having a plurality of different symbol groups displayed thereon, a plurality of the symbol groups each having a plurality of symbols. The movable structure is operable to move to sequentially indicate each of the symbol groups in a same predefined plane. The gaming device includes a mechanical indicator supported by the cabinet and operable to oscillate relative to the movable structure and independently from the movable structure to indicate one of the

symbols from the symbol group indicated by the movable structure. The gaming device includes at least one processor that is programmed to: cause the movable structure to move and then stop moving and position one of the symbol groups in the predefined plane to indicate the symbol group in the predefined plane, to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then stop oscillating to indicate one of the symbols from the indicated symbol group, and to provide an outcome to the player at least partially based on the indicated symbol.

Takeuchi does not disclose each and every element of amended Claim 1. Specifically, Takeuchi does not disclose a gaming device that includes a mechanical movable structure supported by the cabinet and having a plurality of different symbol groups displayed thereon, a plurality of the symbol groups each having a plurality of symbols, wherein the movable structure is operable to move to sequentially indicate each of the symbol groups in a same predefined plane and at least one processor that is programmed to cause the movable structure to move and then stop moving and position one of the symbol groups in the predefined plane to indicate the symbol group in the predefined plane and to cause the mechanical indicator to oscillate substantially parallel to the predefined plane. In the gaming device of Takeuchi, the reels rotate around an axis. The cover member, upon the generation of a predetermined symbol combination, moves from the position on top of the center reel down in front of the center reel to cover the symbol displayed on the center reel. Takeuchi does not disclose a processor that is programmed to cause the mechanical indicator to oscillate substantially parallel to the predefined plane of the position one of the symbol groups. The cover member of Takeuchi moves angularly from the top of the reel to the front of the reel.

For these reasons, Applicant respectfully submits that amended Claim 1 is patentable over Takeuchi and is in condition for allowance. Likewise, Claims 2 to 17, depending directly and indirectly from amended Claim 1, are patentably distinguished over Takeuchi for the reasons given with respect to Claim 1 and are in condition for allowance.

Amended Claim 18 includes, in combination with other elements, at least one

processor programmed to cause the rotatable structure to rotate and then stop rotating to position one of the symbol groups in the predefined plane to indicate the symbol group in the predefined plane, to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then to stop oscillating to indicate one of the symbols from the indicated symbol group, and to provide an outcome to the player at least partially based on the indicated symbol.

Takeuchi does not disclose each and every element of amended Claim 18. Specifically, Takeuchi does not disclose at least one processor programmed to cause the rotatable structure to rotate and then stop rotating to position one of the symbol groups in the predefined plane to indicate one of the symbol groups in the predefined plane, to cause the mechanical indicator to oscillate substantially parallel to the predefined plane.

Applicant respectfully submits that amended Claim 18 is patentably distinguished over Takeuchi for this reason and the reasons submitted with respect to amended Claim 1 and is in condition for allowance. Applicant respectfully submits that Claims 19 to 34, depending directly and indirectly from amended Claim 18, are patentably distinguished over Takeuchi for the reasons submitted with respect to amended Claim 18 and are in condition for allowance.

Amended Claim 35 includes, in combination with other elements, at least one processor programmed to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then stop oscillating, to cause the movable structure to move and then stop moving to position one of the symbol groups in the predefined plane to indicate the symbol group in the predefined plane, such that the mechanical indicator indicates one of the symbols from the indicated symbol group, and to provide an outcome to the player at least partially based on the indicated symbol.

Takeuchi does not disclose each and every element of amended Claim 35. Specifically, Takeuchi does not disclose at least one processor programmed to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then stop oscillating, to cause the movable structure to move and then stop moving to position one of the symbol groups in the predefined plane to indicate the symbol group

in the predefined plane.

Applicant respectfully submits that amended Claim 35 is patentably distinguished over Takeuchi for this reason and the reasons submitted with respect to amended Claim 1 and is in condition for allowance. Applicant respectfully submits that Claims 36 to 51, depending directly and indirectly from amended Claim 35, are patentably distinguished over Takeuchi for the reasons submitted with respect to amended Claim 35 and are in condition for allowance.

Claim 52 includes, in combination with other elements, at least one processor programmed to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then to stop oscillating, to cause the rotatable structure to rotate and then stop rotating to position one of the symbol groups in the predefined plane to indicate the symbols group in the predefined plane.

Takeuchi does not disclose each and every element of amended Claim 52. Specifically, Takeuchi does not disclose at least one processor programmed to cause the mechanical indicator to oscillate substantially parallel to the predefined plane and then to stop oscillating, to cause the rotatable structure to rotate and then stop rotating to position one of the symbol groups in the predefined plane to indicate the symbols group in the predefined plane.

Applicant respectfully submits that amended Claim 52 is patentably distinguished over Takeuchi for this reason and the reasons submitted with respect to amended Claim 1 and is in condition for allowance. Applicant respectfully submits that Claims 53 to 68, depending directly and indirectly from amended Claim 52, are patentably distinguished over Takeuchi for the reasons submitted with respect to amended Claim 52 and are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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